

F. No.11-37/2016-FC  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

Indira Paryavaran Bhawan,  
Aliganj, JorBagh Road,  
New Delhi – 110 003  
Dated: 01<sup>st</sup> January, 2020.

To  
The Secretary (Forests),  
All State/UT Governments

**Sub: Clarification on applicability of FCA, 1980 in Railways land - reg.**

Sir,

I am directed to refer to this Ministry's letter of even number dated 21<sup>st</sup> May, 2019 on the above subject. In this connection, it is to mention that Ministry of Railways and the various State Governments have informed the Ministry that there appears to be some ambiguity in interpretation among the field staff of the State Forest Department regarding implementation of the clarification on the forest areas. The issue was further deliberated in the Ministry regarding the applicability of the Forest (Conservation) Act, 1980 on railway land

After such deliberations and, in continuation to this Ministry's letter dated 21.05.2019, it is clarified that felling of trees on railway land, which is not a forest land as clarified/defined by Hon'ble Supreme Court vide their Judgment dated 12.12.1996 in WP no. 202/1995, shall be governed by relevant local Act.

Yours faithfully,

  
(Sandeep Sharma) 1.1.2020

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, All State/UT Governments
2. The Dy Director General of Forests (Central), All Regional Offices of MoEF&CC
3. The Nodal Officer, FCA, 1980 O/o PCCF, All State/UT Governments
4. Guard File.